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NATIONAL ASSOCIATION OF THE DEAF

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April 2, 1998

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APR - 2 1998

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Petition of Bell Atlantic for
Relief from Barriers to Deployment of
Advanced Telecommunications Services
CC Docket No. 98-11

Dear Ms. Salas:

Enclosed please find an original and six copies of the National Association of the Deaf in the above captioned docket.

Sincerely,

Karen Peltz Strauss
Legal Counsel for Telecommunications Policy

Enclosures

No. of Copies rec'd 046
List A B C D E

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Petition of Bell Atlantic for) CC Docket No. 98-11
Relief from Barriers to Deployment of)
Advanced Telecommunications Services)
)

COMMENTS OF

THE NATIONAL ASSOCIATION OF THE DEAF

The National Association of the Deaf (NAD) hereby submits these comments in response to the above captioned petition filed by Bell Atlantic. Bell Atlantic's petition requests the Federal Communications Commission (FCC) to exercise regulatory forbearance in order to encourage the deployment of advanced telecommunications services.

The NAD is the nation's largest organization safeguarding the accessibility and civil rights of 28 million deaf and hard of hearing Americans in education, employment, health care, and telecommunications. The NAD is a private, non-profit federation of 51 state association affiliates including the District of Columbia, organizational affiliates, and direct members. The NAD seeks to assure a comprehensive, coordinated system of services that is accessible to Americans who are deaf and hard of hearing, enabling them to achieve their maximum potential through increased independence, productivity, and integration.

On January 26, 1998, Bell Atlantic requested the Federal Communications Commission (FCC) to take steps which it states will facilitate its ability and the ability of other local telephone companies to offer high-speed data services to homes, schools, healthcare facilities and businesses. The goal of that request is in keeping with Section 706 of the 1996 Telecommunications Act, which directs the Commission to encourage the deployment of high-capacity bandwidth for interactive voice, data, and video transmission by removing barriers to infrastructure investment for all Americans.

Advanced telecommunications technologies, such as video relay, can significantly enhance the quality of life for all Americans, particularly those with disabilities. The NAD agrees that granting Bell Atlantic's request will provide incentives for local telephone companies and other communications companies to deploy advanced services to consumers. However, we request that an FCC decision to grant that petition include regulatory assurances which require these services to be accessible by and affordable to individuals with disabilities.

The FCC is expected to release its notice of proposed rulemaking on Section 255 within a matter of weeks. Section 255 requires that all telecommunications products and services be accessible to individuals with disabilities. Recent indications from the Commission have put into question the extent to which Section 255 will cover advanced and enhanced telecommunications services. Consumers have steadfastly maintained that Section 255 will have little practical effect unless these advanced services are made accessible. Thus, we take this opportunity to note that an FCC decision to exercise regulatory forbearance in the three areas cited by Bell Atlantic - (1) pricing, (2) resale, and (3) interLATA or long distance data service - should be tied to assurances that the services deployed as a result of such forbearance are, in fact, accessible by

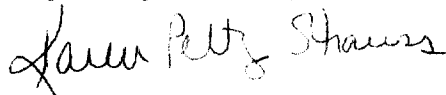
individuals with disabilities. Bell Atlantic has already taken the first steps toward this goal, by adopting Universal Design principles that are designed to ensure that its products and services are accessible and useable by people with disabilities. We seek FCC action that requires the very same level of commitment to accessibility by other local telephone companies, as these companies are provided with increased incentives for investment and deployment of advanced services pursuant to Section 706.

The demand for high-speed data services and the Internet backbone continues to increase. Today's on-line applications are filled with complex graphic material and streaming audio and video which require higher bandwidth and faster speeds. Without further investment, the NAD agrees that the Internet may prove to be of limited value as an informational resource or as a tool to level the playing field for consumers with disabilities. For example, video relay can become a critical communication tool for individuals who use sign language, but only if this form of communication can be transmitted at the necessary modem speeds. The benefits of video relay and other applications, such as telemedicine, distance learning, and telecommuting, can be staggering. However, these will only be realized for all Americans if higher bandwidth and faster speeds are made available, accessible by, and affordable to all citizens, including individuals with disabilities.

The NAD supports the Bell Atlantic's petition to eliminate regulatory barriers for infrastructure development so long as it is coupled with an obligation to make advanced services accessible by and affordable to Americans with disabilities. The NAD believes that equitable and affordable access to advanced technologies can significantly enhance the quality of life for all citizens, particularly those with disabilities. As such, we urge the Commission to use this

proceeding as an opportunity to ensure that all Americans have access to the benefits of advanced telecommunications services.

Respectfully submitted,

A handwritten signature in cursive script, reading "Karen Peltz Strauss".

Karen Peltz Strauss
Legal Counsel for Telecommunications Policy
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